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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	No. CR-09-00640 CW
)	
Plaintiff,)	
)	
v.)	PROPOSED ORDER EXCLUDING
)	TIME PURSUANT TO THE SPEEDY
)	TRIAL ACT
MARVIN MAURICE CAMPBELL,)	
)	Date: March 31, 2010
Defendant.)	Time: 10:00 a.m.
)	Court: Hon. Laurel Beeler
)	
)	

Defendant Marvin Maurice Campbell is charged in a four-count indictment with (1) possession with intent to distribute cocaine base in the form of "crack" cocaine, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(iii); (2) possession with intent to distribute cocaine, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(ii); (3) possession of a firearm in furtherance of a drug trafficking crime, in

1 violation of Title 18, United States Code, Section 924(c); and (4) being a felon in possession of a
2 firearm and ammunition, in violation of Title 18, United States Code, Section 922(g)(1). On
3 March 31, 2010, defendant appeared for a status hearing before this Court. This Court set the
4 matter for a further status hearing before the Honorable Donna M. Ryu on April 21, 2010 at
5 10:00 a.m. Additionally, the parties agreed to an exclusion of time pursuant to the Speedy Trial
6 Act (18 U.S.C. § 3161) from March 31, 2010 to April 21, 2010, in light of (1) the need for
7 defense counsel to review discovery produced by the United States and to investigate this matter
8 further, and (2) defense counsel's unavailability over the course of the last two months due to a
9 lengthy two-defendant, double homicide trial in Alameda County. Failure to grant the requested
10 continuance would unreasonably deny defense counsel reasonable time necessary for effective
11 preparation, taking into account the exercise of due diligence. Given these circumstances, the
12 Court found that the ends of justice served by excluding the period from March 31, 2010 to April
13 21, 2010 outweigh the best interest of the public and the defendant in a speedy trial. 18 U.S.C.
14 §§ 3161(h)(7)(A) and (B)(iv).

15 IT IS HEREBY ORDERED that:

16 With the consent of defendant Campbell, the period from March 31, 2010 to April
17 21, 2010 is excluded from the Speedy Trial Act calculations for effective preparation of counsel,
18 continuity of defense counsel, and pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv).

19
20 IT IS SO ORDERED

21
22 DATED: April 5, 2010

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24 _____
25 LAUREL BEELER
26 United States Magistrate Judge
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